



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : W. Daniel Hillis et al.
Filed : January 21, 2004
TITLE : IMAGE CORRECTION USING A MICROLENS ARRAY AS A
UNIT
Customer No. : 44,765

Docket No. : 0803-001-004-000000

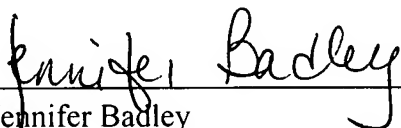
Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Sir:

I hereby certify that the enclosures listed below are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No. EM057637024US, on June 25, 2007, addressed to, Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,
Searete LLC



Jennifer Badley

Enclosures:

Postcard
Check
Issue Fee Transmittal (+ copy)
Comments on Statement of Reasons for Allowance



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : W. Daniel Hillis; Nathan P. Myhrvold; Lowell L. Wood, Jr.
Application No. : 10/764,340
Filed : January 21, 2004
TITLE : IMAGE CORRECTION USING A MICROLENS ARRAY
AS A UNIT
Confirmation No. : 5765

Docket No. : 0803-001-004-000000

Customer No. : 44,765

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents:

The following is in response to the Notice of Allowance and Fee(s) Due dated 26 March 2007.

Comments on Statement of Reasons for Allowance begin on page 2.



COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

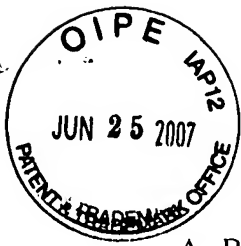
In response to Examiner's statement of reasons for allowance in the Notice of Allowability dated 26 March 2007, Applicant Entity (hereinafter "Applicant") agrees that the case is allowable. However, to the extent that summarization and/or paraphrasing has been done with respect to the Notice of Allowability, Applicant points out that the application and the art of record has meaning as such would be understood by one of skill in the art. Applicant continues to assert that any and all claims argued in any previous Office Action Response(s) are patentable for at least the reasons set forth therein. Applicant points out that Examiner statements regarding expressly cited claim language are not statements regarding other claim language not expressly cited; Applicant contests any assertion(s) that Applicant's claim language is shown in the art. Accordingly, Applicant hereby reserves the right to address the art and/or any other issues related to the present application in this or any subsequent forum.

In addition to the foregoing, Applicant respectfully points out that in the Office Action related correspondence(s) of August 8, 2006, page 7, and March 1, 2007, page 22, wherein Applicant recited "Applicant continues to assert all points of any previous Office Action..." should read/have read "Applicant continues to assert all points of (e.g., caused by, resulting from, responsive to, etc.) any previous and/or otherwise related Office Action, and no waiver (legal, factual, or otherwise), implicit or explicit, is hereby intended."

CONCLUSION

Applicant may have herein cancelled and/or amended one or more claims. Applicant notes that any such cancellations and/or amendments will have transpired (i) prior to issuance and (ii) in the context of the rules that govern claim interpretation during prosecution before the United States Patent and Trademark Office (USPTO). Applicant notes that the rules that govern claim interpretation during prosecution form a radically different context than the rules that govern claim interpretation subsequent to a patent issuing. Accordingly, Applicant respectfully submits that any cancellations and/or amendments herein should be held to be tangential to and/or unrelated to patentability in the event that such cancellations and/or amendments are viewed in a post-issuance context under post-issuance claim interpretation rules.

Insofar as that the Applicant may have herein cancelled/amended claims sufficient to obtain a Notice of Allowability of all claims pending, Applicant may not have herein explicitly addressed all rejections and/or statements in Examiner's Office Action. The fact that rejections and/or statements may not be herein explicitly addressed should NOT be taken as an admission of any sort, and Applicant hereby reserves any and all rights to contest such rejections and/or statements at a later time. Specifically, no waiver (legal, factual, or otherwise), implicit or explicit, is hereby intended (e.g., with respect to any facts of which Examiner took Official Notice, and/or for which Examiner has supplied no objective showing, Applicant hereby contests those facts and requests express documentary proof of such facts at such time at which such facts may become relevant). For example, although not expressly set forth herein, Applicant continues to assert all points of (e.g., caused by, resulting from, responsive to, etc.) any previous and/or otherwise related Office Action, and no waiver (legal, factual, or otherwise), implicit or explicit, is hereby intended. Specifically, insofar as that Applicant does not consider the cancelled/unamended claims to be unpatentable, Applicant hereby gives notice that it intends to file and/or has filed a continuing application in order prosecute such unamended claims.



Furthermore, in those instances where a convention analogous to “at least one of A, B, and C, etc.” is used, in general such a construction is intended in the sense one having skill in the art would understand the convention (e.g., “ a system having at least one of A, B, and C” would include but not be limited to systems that have A alone, B alone, C alone, A and B together, A and C together, B and C together, and/or A, B, and C together, etc.). In those instances where a convention analogous to “at least one of A, B, or C, etc.” is used, in general such a construction is intended in the sense one having skill in the art would understand the convention (e.g., “ a system having at least one of A, B, or C” would include but not be limited to systems that have A alone, B alone, C alone, A and B together, A and C together, B and C together, and/or A, B, and C together, etc.). It will be further understood by those within the art that virtually any disjunctive word and/or phrase presenting two or more alternative terms, whether in the description, claims, or drawings, should be understood to contemplate the possibilities of including one of the terms, either of the terms, or both terms. For example, the phrase “A or B” will be understood to include the possibilities of “A” or “B” or “A and B.”

With respect to any cancelled claims, such cancelled claims were and continue to be a part of the original and/or present patent application(s). Applicant hereby reserves all rights to present any cancelled claim or claims for examination at a later time in this or another application. Applicant hereby gives public notice that any cancelled claims are still to be considered as present in all related patent application(s) (e.g. the original and/or present patent application) for all appropriate purposes (e.g., written description and/or enablement). Applicant does NOT intend to dedicate the subject matter of any cancelled claims to the public.



EXPRESS MAIL NO.: EM057637024US

Examiner is encouraged to contact the undersigned by telephone at (425) 467-2260 to discuss the above, if desired. Also, if the undersigned attorney has overlooked a relevant teaching in any of the references, Examiner is requested to point out specifically where such teaching may be found.

Respectfully submitted,

Dale Cook
Attorney
Registration No. 42,434

DRC:jmb

Enclosures:

Postcard
Check
Cert. of Express Mail
Issue Fee Transmittal (+ copy)

Searete LLC
1756 – 114th Ave. S.E., Suite 110
Bellevue, WA 98004
(425) 467-2300
(425) 467-2351 Facsimile

<http://isf.intven.com/shared documents/Patents Filed-Active Drafts/Digital Cameras-001/0803-001-004-Image Corr Microlens Array/Notice of Allowance - response to.doc>